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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GARY FEITELSON, a Kentucky resident, and
DANIEL MCKEE, an Iowa resident, on behalf
of themselves and all others similarly situated,

Plaintiffs,

v.

GOOGLE INC., a Delaware corporation,
Defendant.

No. 5:14-cv-02007 BLF

**DEFENDANT GOOGLE INC.'S
ADMINISTRATIVE MOTION TO FILE
STATEMENT OF RECENT DECISION
(LOCAL RULES 7-11 and 7-3(d))**

Judge: Hon. Beth Labson Freeman
Dept. Courtroom 3, 5th Floor

1 On December 18, 2014, the Court heard oral argument on Defendant Google Inc.'s
2 motion to dismiss (Dkt. No. 38) and the motion is still pending before the Court. After the date
3 of oral argument, on January 15, 2015, the Ninth Circuit issued an opinion in *City of San Jose et*
4 *al. v. Office of the Com'r of Baseball*, Appeal No. 14-15139, which may be relevant to the
5 pending motion.

6 Pursuant to Local Rule 7-11, Defendant Google Inc. requests permission to file the
7 attached Statement of Recent Decision. *See* Ex. A (Statement of Recent Decision). This
8 administrative motion is necessary because Local Rule 7-3(d) requires "prior Court approval" for
9 a party to submit a Statement of Recent Decision after the hearing date.

10 In accordance with Local Rule 7-11, attached as Exhibit B is a stipulation stating that
11 counsel for Plaintiffs, without agreeing that the recent decision adds anything new to the law
12 already briefed to the Court, does not object to Google Inc.'s administrative request.

13 Google Inc. therefore requests that the Court enter the attached proposed order, which
14 approves Google Inc.'s filing of a Statement of Recent Decision.

15
16 DATED: January 22, 2015

By: /s/ Brian C. Rocca

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